



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|-------------------------|---------------------|------------------|
| 09/367,636 | 05/25/2000 | JOSE ANTONIO R. CONDADO | 152844 | 4589 |
| 38598 | 7590 | 03/21/2008 | | |
| ANDREWS KURTH LLP 1350 I STREET, N.W. SUITE 1100 WASHINGTON, DC 20005 | | | | |
| EXAMINER | | | | |
| KENNEDY, SHARON E | | | | |
| ART UNIT | | PAPER NUMBER | | |
| 3762 | | | | |
| MAIL DATE | | DELIVERY MODE | | |
| 03/21/2008 | | PAPER | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

NOTICE OF NON-RESPONSIVE AMENDMENT

Response to Amendment

The reply filed on September 15, 2006 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): The amendment contains instructions for amending the specification, however, page and line numbers do not match up.

See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment.

Remarks

Applicant's petition of September 15, 2006 included a copy of the previously submitted amendment, pages 1-4. Pages 1-4 were treated as an amendment under 37 C.F.R. 312. Examiner Timothy Caldwell improperly indicated that the amendment would be entered, however, the amendment should not have been entered due to the improper instructions.

Accordingly, the "Response to Rule 312 Communication", Paper No. 20080109, permitting entry of the amendment, is hereby **VACATED**.

Applicant is required to respond to the Notice Regarding Drawings mailed February 15, 2006 within **ONE (1) MONTH or THIRTY (30) DAYS. THIS TIME PERIOD IS NOT EXTENDABLE UNDER EITHER 37 CFR 1.136(a) OR 1.136(b).** **Failure to take corrective action within the set period will result in abandonment of the application.**

The examiner contacted applicant's representative, Eddy Valverde on February 27, 2008. It was agreed that Mr. Valverde would provide the proper pages and line numbers so that an examiner's amendment could be prepared, however, these have not been provided. Accordingly, applicant must file the proper amendment within one month as set forth above. It is suggested that applicant use the PAIR system to access the filed version of the specification to make the corrections.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharon E. Kennedy whose telephone number is 571/272-4948. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Woodward, can be reached on 571/272-8373.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Art Unit: 1615

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Sharon E. Kennedy/

Sharon E. Kennedy
Primary Examiner
Art Unit 1615